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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/822,341	04/02/2001	Jean-Marie Stawikowski	205083US2X	1725
22850	7590	07/06/2005		EXAMINER
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			NGUYEN, THANH	
			ART UNIT	PAPER NUMBER
			2144	

DATE MAILED: 07/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/822,341	STAWIKOWSKI ET AL.
	Examiner Tammy T. Nguyen	Art Unit 2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE (3) MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 10 December 2004.  
 2a) This action is FINAL. 2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-8 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-8 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 02 April 2004 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date 4/2/04

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.  
 5) Notice of Informal Patent Application (PTO-152)  
 6) Other: \_\_\_\_\_.

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## Detailed Office Action

1. This action is in response to the amendment filed on December 10, 2004.
2. Claims 1-8 are pending.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Geiger et al., (hereinafter Geiger) U.S. Patent No. 6,463,534 in view of Randy Salo., (hereinafter Salo) U.S. Patent No. 6,563,800.
5. As to claim 1, Geiger teaches the invention as claimed, including a WAP based system for accessing programmable automatism unit by a standalone communicating mobile device, said standalone communicating mobile device including a WAP based navigator, wherein the automatism unit includes a piece

of automatism equipment, said WAP based system comprising: a Web server embedded, in programmable the automatism unit, wherein such static or dynamic WML coded data includes data relating to monitoring, viewing and controlling the automatism unit (Fig.1, and col.11, lines 50-55); -a network, interface connected the Web server by a network and configured to authorize the WAP based navigator of the standalone communicating mobile device through wireless network, such that the WAP based navigator is enable to access functions for monitoring, viewing and controlling the automatism unit (Fig.1 clearly shows Global network with wireless network 19 and PSTN, also in column 1, lines 35-65 and col.2, lies 54-67). But Geiger does not explicitly teach generate static or dynamic WML coded data. However, Salo teaches generating static or dynamic WML coded data (see col.10, lines 12-29). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Salo into the computer system of Geiger to have generating static or dynamic WML coded data because it would have provided producing something according to a program or set of rules to execute of a program.

6. As to claim 2, Geiger teaches the invention as claimed, wherein in the network interface comprises a WAP gateway and then transmits the compiled WML contents to the standalone communicating mobile device (col.9, lines 1-9). But Geiger does not explicitly teach generate static or dynamic WML coded data. However, Salo teaches generating static or dynamic WML coded data (see col.10, lines 12-29). It would have been obvious to one of ordinary skill in the art at the

time of the invention was made to implement the teachings of Salo into the computer system of Geiger to have generating static or dynamic WML coded data because it would have provided producing something according to a program or set of rules to execute of a program.

7. As to claim 3, Geiger teaches the invention as claimed, wherein the automatism unit comprises an automaton having central processing unit, wherein the Web server is either embedded in the central processing unit of the automaton or embedded in an automaton module connected to the central processing unit of the automaton (Fig.1, automaton module 10 connected to the wireless device 11).
8. As to claim 4, Geiger teaches the invention as claimed, wherein the automatism unit comprises: an automata having central processing unit and access an automatism network, wherein the Web server is connected to the automatism network in order to be able to communicate with the central processing unit of the automata (Fig.1 shows web ser 16 could communication with wireless device 11).
9. As to claim 5, Geiger teaches the invention as claimed, wherein the Web server receives through network interface, a WAP command as a HTTP request specifying a URL address optionally associated with parameters which contain complementary requests and, on answering this WAP command, implemented communicating mobile device, is configured to enable functions for monitoring, viewing and controlling the automatism unit (col.11, lines 50-55). But Geiger

does not explicitly teach generate static or dynamic WML coded data. However, Salo teaches generating static or dynamic WML coded data (see col.10, lines 12-29). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Salo into the computer system of Geiger to have generating static or dynamic WML coded data because it would have provided producing something according to a program or set of rules to execute of a program.

10. As to claim 6, Geiger teaches the invention as claimed, wherein the Web server, sends, on its own initiative or on the initiative of the automatism unit notification to at least a communicating mobile device by using a WAP "Push Access", so that the WAP based navigator implemented in the communicating mobile informed of events or conditions concerning the automatism unit (col.7, lines 35-50, and col.6, lines 25-30).

11. As to claim 7, Geiger teaches the invention as claimed, wherein the Web server includes in the notification a list of addressees from an addressee directory stored a local memory or in a remote memory on the network (Fig.1 shows global network).

12. As to claim 8, Geiger teaches the invention as claimed, including a programmable automatism unit comprising: a mobile device communicating through wireless network and integrating a WAP based navigator, configured to enable monitoring,

viewing and controlling of the automatism unit according to any of the preceding claims (Fig.4 shows control of viewing by wireless gateway).

***Response to Arguments***

13. Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

14. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

15. Any inquiries concerning this communication or earlier communications from

the examiner should be directed to **Tammy T. Nguyen** who may be reached via telephone at **(571) 272-3929**. The examiner can normally be reached Monday through Friday between 8:00 a.m. and 5:00 p.m. eastern standard time.

If you need to send the Examiner, a facsimile transmission regarding this instant application, please send it to **(703) 872-9306**. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's Supervisor, David Wiley, may be reached at **(571) 272-3923**.

*TTN*  
June 22, 2005



DAVID WILEY  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100